

1964—Pub. L. 88-391 amended section generally, and among other changes, redescribed buildings and grounds of the Smithsonian Institution and provided for inclusion of future acquisitions of land and buildings.

CHANGE OF NAME

“National Museum of American History” substituted for “Museum of History and Technology” in par. (1)(A), effective Oct. 14, 1980, pursuant to section 3 of Pub. L. 96-441 which is set out as a note under section 71 of Title 20, Education.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 193n of this title.

§ 193w. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 660

Section, act Oct. 24, 1951, ch. 559, § 10, as added Sept. 23, 1959, Pub. L. 86-379, § 1, 73 Stat. 702, provided for the classification of positions on National Zoological Park police force. Such provisions were reenacted in section 5109(c) of Title 5, Government Organization and Employees, by Pub. L. 89-554, and were later repealed by Pub. L. 91-34, § 2(b), June 30, 1969, 83 Stat. 41.

Pub. L. 89-554 also repealed sections 2 and 3 of Pub. L. 86-379, which prescribed the effective date of Pub. L. 86-379 and provided for certain pay adjustments.

§ 193x. Enforcement power of special police

The special police provided for in section 193n of this title are authorized to enforce concurrently with the United States Park Police the laws and regulation applicable to the National Capital Parks, and to make arrests for violations of sections 193o to 193q of this title, within the several areas located within the exterior boundaries of the face of the curb lines of the squares within which the aforementioned buildings are located.

(Oct. 24, 1951, ch. 559, § 11, as added Aug. 1, 1964, Pub. L. 88-391, § 4, 78 Stat. 366.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 193v of this title.

§§ 194 to 205. Repealed. July 31, 1946, ch. 707, § 15, 60 Stat. 720

Section 194, acts July 1, 1882, ch. 258, § 1, 22 Stat. 126; Mar. 3, 1901, ch. 854, § 881, 31 Stat. 1333, related to public use of Capitol grounds. See section 193b of this title.

Section 195, acts July 1, 1882, ch. 258, § 2, 22 Stat. 126; Mar. 3, 1901, ch. 854, § 882, 31 Stat. 1333, related to obstruction of roads in Capitol grounds. See section 193c of this title.

Section 196, acts July 1, 1882, ch. 258, § 3, 22 Stat. 126; Mar. 3, 1901, ch. 854, § 883, 31 Stat. 1333, related to sale of articles in Capitol grounds. See section 193d of this title.

Section 197, acts July 1, 1882, ch. 258, § 4, 22 Stat. 126; Mar. 3, 1901, ch. 854, § 884, 31 Stat. 1333, related to injury to property in Capitol grounds. See section 193e of this title.

Section 198, acts July 1, 1882, ch. 258, § 5, 22 Stat. 127; Mar. 3, 1901, ch. 854, § 885, 31 Stat. 1333, related to firearms or fireworks in Capitol grounds. See section 193f of this title.

Section 199, acts July 1, 1882, ch. 258, § 6, 22 Stat. 127; Mar. 3, 1901, ch. 854, § 886, 31 Stat. 1333, related to parades or assemblages in Capitol grounds. See section 193g of this title.

Section 200, acts July 1, 1882, ch. 258, § 7, 22 Stat. 127; Mar. 3, 1901, ch. 854, § 887, 31 Stat. 1333, related to prosecution and punishment of offenses on Capitol grounds. See section 193h of this title.

Section 201, acts July 1, 1882, ch. 258, § 8, 22 Stat. 127; Mar. 3, 1901, ch. 854, § 888, 31 Stat. 1334, related to arrests in Capitol grounds. See section 212a of this title.

Section 202, acts July 1, 1882, ch. 258, § 9, 22 Stat. 127; Mar. 3, 1901, ch. 854, § 889, 31 Stat. 1334, related to aid in enforcement by Capitol employees. See section 193i of this title.

Section 203, acts July 1, 1882, ch. 258, § 10, 22 Stat. 127; Mar. 3, 1901, ch. 854, § 890, 31 Stat. 1334, related to suspension of regulations respecting Capitol grounds. See section 193j of this title.

Section 204, acts July 1, 1882, ch. 258, § 11, 22 Stat. 127; Mar. 3, 1901, ch. 854, § 890, 31 Stat. 1334, related to authority of Capitol Police Commission to suspend regulations. See section 193k of this title.

Section 205, act June 6, 1900, ch. 791, 31 Stat. 613, related to concerts in Capitol grounds. See section 193l of this title.

OFFENSES COMMITTED PRIOR TO JULY 31, 1946

Prosecution of offenses committed prior to repeal of sections 194 to 205, see section 15 of act July 31, 1946, set out as a note under section 193h of this title.

§ 206. Capitol Police; appointment; Chief of the Capitol Police

There shall be a Capitol police. There shall be a captain of the Capitol police and such other members with such rates of compensation, respectively, as may be appropriated for by Congress from year to year. The captain and lieutenants shall be selected jointly by the Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives; and one-half of the privates shall be selected by the Sergeant at Arms of the Senate and one-half by the Sergeant at Arms of the House of Representatives. The Capitol Police shall be headed by a Chief who shall be appointed by the Capitol Police Board and shall serve at the pleasure of the Board.

(R.S. § 1821; Apr. 28, 1902, ch. 594, 32 Stat. 124; June 28, 1943, ch. 173, title I, 57 Stat. 230; Dec. 20, 1979, Pub. L. 96-152, § 1(a), 93 Stat. 1099.)

CODIFICATION

Section is a composite of provisions cited in the credits.

R.S. § 1821 derived from acts Mar. 2, 1867, ch. 167, § 2, 14 Stat. 466; Mar. 3, 1873, ch. 226, 17 Stat. 488.

AMENDMENTS

1979—Pub. L. 96-152 inserted last sentence providing that the Capitol Police be headed by a Chief who shall be appointed by the Capitol Police Board and who shall serve at the pleasure of the Board.

EFFECTIVE DATE OF 1979 AMENDMENT

Section 7 of Pub. L. 96-152 provided that: “This Act [enacting section 206-1 of this title and amending this section] shall take effect on the first day of the second month after the month in which this Act is enacted [Dec. 1979].”

SELECTION OF PRIVATES

Similar provisions as to the selection of privates were contained in the following acts:

June 8, 1942, ch. 396, 56 Stat. 340.

July 1, 1941, ch. 268, 55 Stat. 456.

June 18, 1940, ch. 396, 54 Stat. 471.

June 16, 1939, ch. 208, 53 Stat. 831.

May 17, 1938, ch. 236, 52 Stat. 389.

May 18, 1937, ch. 223, 50 Stat. 178.

Apr. 17, 1936, ch. 233, 49 Stat. 1223.

July 8, 1935, ch. 374, 49 Stat. 468.

May 30, 1934, ch. 372, 48 Stat. 826.

Feb. 28, 1933, ch. 134, 47 Stat. 1359.
 June 30, 1932, ch. 314, 47 Stat. 390.
 Feb. 20, 1931, ch. 234, 46 Stat. 1182.
 June 6, 1930, ch. 407, 46 Stat. 512.
 Feb. 28, 1929, ch. 367, 45 Stat. 1394.
 May 14, 1928, ch. 551, 45 Stat. 524.
 Feb. 23, 1927, ch. 168, 44 Stat. 1154.
 May 13, 1926, ch. 294, 44 Stat. 545.
 Mar. 4, 1925, ch. 549, 43 Stat. 1294.
 June 7, 1924, ch. 303, 43 Stat. 586.
 Feb. 20, 1923, ch. 98, 42 Stat. 1272.
 Mar. 20, 1922, ch. 103, 42 Stat. 422.

CAPITOL POLICE POSITIONS UNDER THE SENATE

Section 116 of Pub. L. 97-51, Oct. 1, 1981, 95 Stat. 963, which is classified to section 61f-7 of Title 2, The Congress, abolished all statutory positions in Office of the Sergeant at Arms and Doorkeeper of the Senate, and authorized the Sergeant at Arms and Doorkeeper of the Senate to establish such numbers of positions as he deems appropriate and fix the compensation of employees to fill the positions so established. Previously, Capitol Police positions under the Senate were authorized by the following acts:

Sept. 30, 1978, Pub. L. 95-391, title I, 92 Stat. 765.
 May 4, 1977, Pub. L. 95-26, title I, 91 Stat. 81.
 July 25, 1975, Pub. L. 94-59, title I, 89 Stat. 271.
 Aug. 13, 1974, Pub. L. 93-371, 88 Stat. 425.
 Nov. 1, 1973, Pub. L. 93-145, 87 Stat. 530.
 July 9, 1971, Pub. L. 92-51, 85 Stat. 127.
 Aug. 18, 1970, Pub. L. 91-382, 84 Stat. 809.
 July 23, 1968, Pub. L. 90-417, 82 Stat. 399.
 July 28, 1967, Pub. L. 90-57, 81 Stat. 128.
 Aug. 27, 1966, Pub. L. 89-545, 80 Stat. 355.
 July 31, 1958, Pub. L. 85-570, 72 Stat. 440.
 Mar. 28, 1958, Pub. L. 85-352, ch. VI, 72 Stat. 57.
 June 27, 1956, ch. 453, 70 Stat. 357.
 July 31, 1947, ch. 414, 61 Stat. 695.
 July 1, 1946, ch. 530, 60 Stat. 391.

CAPITOL POLICE POSITIONS UNDER THE HOUSE OF REPRESENTATIVES

Capitol Police positions under the House of Representatives were authorized by the following acts:

House Resolution No. 294, One Hundred First Congress, Nov. 17, 1989, made permanent law Nov. 5, 1990, Pub. L. 101-520, title I, §103, 104 Stat. 2262.

House Resolution No. 320, Ninety-ninth Congress, Nov. 14, 1985, made permanent law by section 102 of H.R. 5203 (see House Report 99-805 as filed in the House on Aug. 15, 1986), and incorporated by reference in section 101(j) of Pub. L. 99-500, Oct. 18, 1986, 100 Stat. 1783-287, and section 101(j) of Pub. L. 99-591, Oct. 30, 1986, 100 Stat. 3341-287, as amended by Pub. L. 100-71, title I, July 11, 1987, 101 Stat. 425, to be effective as if enacted into law.

House Resolution No. 343, Ninety-eighth Congress, Oct. 26, 1983, made permanent law July 17, 1984, Pub. L. 98-367, title I, §103, 98 Stat. 479.

House Resolution No. 625, Ninety-seventh Congress, Dec. 9, 1982, made permanent law July 14, 1983, Pub. L. 98-51, title I, §110, 97 Stat. 269.

House Resolution No. 244, Ninety-seventh Congress, Dec. 16, 1981, made permanent law by section 109 of S. 2939, Ninety-seventh Congress, 2d Session, as reported Sept. 22, 1982, and incorporated by reference in section 101(e) of Pub. L. 97-276, Oct. 2, 1982, 96 Stat. 1189, to be effective as if enacted into law.

House Resolution No. 229, Ninety-sixth Congress, May 4, 1979, made permanent law by section 101 of H.R. 7593, as passed the House of Representatives July 21, 1980, and incorporated by reference in section 101(c) of Pub. L. 96-536, Dec. 16, 1980, 94 Stat. 3167, to be effective as if enacted into law.

House Resolution No. 661, Ninety-fifth Congress, July 29, 1977, made permanent law Sept. 30, 1978, Pub. L. 95-391, title I, §111, 92 Stat. 777.

House Resolution No. 360, Ninety-fourth Congress, Mar. 26, 1975, made permanent law July 25, 1975, Pub. L. 94-59, title II, §201, 89 Stat. 282.

House Resolution No. 398, Ninety-third Congress, June 4, 1973, made permanent law Jan. 3, 1974, Pub. L. 93-245, ch. VI, 87 Stat. 1079.

House Resolution No. 449, Ninety-second Congress, June 2, 1971, made permanent law Dec. 15, 1971, Pub. L. 92-184, ch. IV, 85 Stat. 636.

House Resolution No. 1293, Ninety-first Congress, Dec. 17, 1970, as readopted and continued with respect to the Ninety-second Congress without break in application and effect by section 1 of House Resolution No. 150, Ninety-second Congress, Jan. 25, 1971, made permanent law July 9, 1971, Pub. L. 92-51, §103, 85 Stat. 144.

House Resolution No. 1211, Ninetieth Congress, Oct. 11, 1968, made permanent law Dec. 12, 1969, Pub. L. 91-145, §103, 83 Stat. 359.

House Resolution No. 464, Ninetieth Congress, May 11, 1967, made permanent law July 9, 1968, Pub. L. 90-392, title I, 82 Stat. 318.

House Resolution No. 796, Eighty-ninth Congress, June 29, 1966, made permanent law Oct. 27, 1966, Pub. L. 89-697, ch. VI, 80 Stat. 1063.

House Resolution No. 648, Eighty-eighth Congress, June 2, 1964, made permanent law July 9, 1971, Pub. L. 92-51, §103, 85 Stat. 144.

House Resolution No. 448, Eighty-fourth Congress, May 8, 1956, made permanent law June 27, 1956, ch. 453, §103, 70 Stat. 370.

July 1, 1946, ch. 530, 60 Stat. 395.

CAPITOL POLICE CIVILIAN SUPPORT POSITIONS WITH RESPECT TO THE HOUSE OF REPRESENTATIVES

House Resolution No. 199, One Hundred Second Congress, Aug. 1, 1991, made permanent law Pub. L. 102-392, title I, §102, Oct. 6, 1992, 106 Stat. 1710, authorized Committee on House Administration of the House of Representatives to establish 114 civilian support positions for the Capitol Police, provided for functions, compensation, and classification of positions, provided procedures for appointments to positions and that as each position was filled there would be abolished one position of private on Capitol Police, provided that positions would be filled by individuals in Capitol Police positions so abolished, that all positions would be filled by the end of the One Hundred Second Congress, and that at least 50 of such positions would be filled not later than the end of the first session of such Congress, and authorized Committee on House Administration to prescribe regulations to carry out this provision.

DIRECTOR OF EMPLOYMENT PRACTICES UNDER CAPITOL POLICE BOARD

House Resolution No. 420, One Hundred First Congress, June 26, 1990, made permanent law Pub. L. 101-520, title I, §105, Nov. 5, 1990, 104 Stat. 2262, established the position of Director of Employment Practices with respect to members of the Capitol Police, at the appropriate rate of pay under level HS-11 of the House Employees Schedule, with payment from contingent fund of the House of Representatives or from amounts appropriated for the Capitol Police, such appointment to be made by the Capitol Police Board, subject to prior approval of the Committee on House Administration, without regard to political affiliation and solely on basis of fitness to perform functions of the position.

GENERAL COUNSEL TO CHIEF OF CAPITOL POLICE

House Resolution No. 661, Ninety-fifth Congress, July 29, 1977, made permanent law Pub. L. 95-391, title I, §111, Sept. 30, 1978, 92 Stat. 777, established the position of General Counsel to the Chief of the Capitol Police, for duty under the House of Representatives, at a per annum gross rate of compensation which is equal to the rate in effect from time to time for HS level 10, step 1, of the House Employees Schedule, such appointment to be made by the Capitol Police Board, subject to the prior approval of the Committee on House Administration, without regard to political affiliation and solely on the basis of fitness to perform the duties of the position.

CROSS REFERENCES

Library of Congress special police, see section 167 of Title 2, The Congress.

Removal or suspension of Capitol police officer, see section 208 of this title.

Secret Service Uniformed Division, see section 202 et seq. of Title 3, The President.

Supreme Court Police, see section 13f of this title.

§ 206-1. Capitol Police; compensation of Chief

The Chief of the Capitol Police shall receive compensation at a rate determined by the Capitol Police Board, but not to exceed the annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5.

(Pub. L. 96-152, §1(c), Dec. 20, 1979, 93 Stat. 1099.)

EFFECTIVE DATE

Section effective Feb. 1, 1980, see section 7 of Pub. L. 96-152, set out as an Effective Date of 1979 Amendment note under section 206 of this title.

§§ 206a to 206a-8. Omitted

CODIFICATION

Sections, which related to establishment of additional positions on the Capitol Police for duty under the House of Representatives, were based on House Resolutions that were made permanent law, and have been omitted as of limited interest. These House Resolutions and the acts that made them permanent law are listed in a note set out under section 206 of this title.

§ 206b. Emergency duty overtime pay for Capitol Police from funds disbursed by the Clerk of the House of Representatives

(a) Entitlement of officer or member

Each officer or member of the United States Capitol Police force—

(1) whose pay is disbursed by the Clerk of the House of Representatives; and

(2) who performs duty in addition to the number of hours of his regularly scheduled tour of duty beginning on or after July 1, 1974;

is entitled (subject to such rules and regulations as the Capitol Police Board may prescribe) to receive compensation as a result of performing such duty pursuant to the order of proper authority, or to receive compensatory time off for each such additional hour of duty, except that an officer shall be entitled to receive such compensation only upon a determination of the Capitol Police Board with respect to the additional hours of duty of such officer.

(b) Determination of rate of compensation

Compensation of an officer or member for each additional hour of duty shall be paid at a rate equal to—

(1) in the case of an officer, his hourly rate of compensation; or

(2) in the case of a member, one and one-half times his hourly rate of compensation.

The hourly rate of compensation of an officer or member shall be determined by dividing the annual rate of compensation of the officer or member by 2,080.

(c) Written election by officer for compensation or compensatory time off for additional hours of duty

Any officer or member entitled to receive compensation for additional hours of duty shall

make a written election with respect to his additional hours of duty which shall designate whether such officer or member desires to receive—

(1) compensation for additional hours of duty; or

(2) compensatory time off for additional hours of duty subject to approval of the Chief and the Capitol Police Board.

(d) Certification procedure for additional compensation

Compensation which officers and members are entitled to receive under this section shall be made upon certification by the Chief of the Capitol Police at the end of each calendar quarter to the Capitol Police Board, and upon the transmission of approval from the Capitol Police Board to the Committee on House Administration of the House of Representatives.

(e) Transfer of accrued compensatory time off or receipt of lump-sum payment upon termination of service

No officer or member may, upon the termination of his service as an officer or member of the United States Capitol Police force, transfer accrued compensatory time off for application with respect to his employment by any other department, agency, or establishment of the Federal Government or the District of Columbia. No officer or employee may, upon such termination, receive any lump-sum payment with respect to such accrued compensatory time off.

(f) Definitions

For purposes of this section—

(1) the term “officer” includes all personnel of the rank of lieutenant or higher, including inspector; and

(2) the term “member” includes all personnel below the rank of lieutenant, including detectives.

(g) Contingent fund of House available for payment of overtime pay

There shall be paid out of the contingent fund of the House of Representatives, until otherwise provided by law, such sums as may be necessary to make payments of overtime pay under the provisions of this section.

(Pub. L. 92-184, ch. IV, Dec. 15, 1971, 85 Stat. 636; Pub. L. 93-245, ch. VI, §600, Jan. 3, 1974, 87 Stat. 1079; Pub. L. 93-554, title I, ch. III, Dec. 27, 1974, 88 Stat. 1777.)

CODIFICATION

Section is based on sections 3 and 5 of House Resolution No. 449, June 2, 1971, which was enacted into permanent law by Pub. L. 92-184, as amended by House Resolution No. 398, June 4, 1973, eff. Jan. 3, 1974, which was enacted into permanent law by Pub. L. 93-245, and House Resolution No. 1309, Oct. 10, 1974, eff. Dec. 27, 1974, which was enacted into permanent law by Pub. L. 93-554.

Subsec. (g) of this section was originally enacted as section 3 of House Res. No. 1309 and has been editorially redesignated as subsec. (g) in view of the enactment into permanent law of section 5 of House Res. No. 449 as the concluding paragraph of original section.

CHANGE OF NAME

Committee on House Administration of House of Representatives changed to Committee on House Oversight